

HOUSE BILL REPORT

SSB 6527

As Reported by House Committee On:
Transportation

Title: An act relating to the Milwaukee Road cross-state trail.

Brief Description: Extending the negotiation period for the Milwaukee Road trail.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Jacobsen, Mulliken, Haugen and Sheldon; by request of Department of Transportation).

Brief History:

Committee Activity:

Transportation: 2/21/06, 2/23/06 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House Committee)**

- Extending the negotiation period for the Milwaukee Road Trail.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 28 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Buck, Clibborn, Curtis, Dickerson, Ericksen, Flannigan, Hankins, Holmquist, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Schindler, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: Teresa Berntsen (786-7301).

Background:

In 1980, the Milwaukee Road railroad declared bankruptcy, sold some of its properties, and salvaged its track. In 1981, the Legislature appropriated \$3.5 million to purchase 213 miles of the railroad's right of way in eastern Washington.

The right of way owned by the state was eventually put under the management and control of three state agencies: the State Parks and Recreation Commission, the Department of Natural Resources (DNR), and the Department of Transportation (DOT).

During the 1995 legislative interim, the Legislative Transportation Committee convened a Freight Rail and Freight Mobility Task Force to examine the Milwaukee Road corridor's potential for relieving freight congestion. The task force recommended resuming freight rail

service over the portion of the former Milwaukee Road railroad running from Ellensburg to Lind.

Legislation in 1996 consolidated state-owned portions of the former Milwaukee Road railroad from Ellensburg to Lind into a single owner, the DOT. The DOT was charged with management and control of this corridor, and was authorized to negotiate a franchise agreement with a qualified rail carrier to operate service over the line.

The legislation creating the consolidated transportation corridor was to sunset if the DOT did not enter into a franchise agreement by July 1, 1999. Management of the trail between Ellensburg and Lind would revert back to the three state agencies. In 1999 the Legislature extended the deadline for the DOT to enter into a franchise agreement to July 1, 2006.

Summary of Amended Bill:

The deadline for the DOT to enter into a franchise agreement for rail service over the Ellensburg to Lind portion of the Milwaukee Road corridor is extended three years. If an agreement is not entered into by July 1, 2009, the Ellensburg to Lind portion of the transportation corridor will revert to the prior ownership and management by the DOT, the State Parks and Recreation Commission, and the DNR.

The transfer to the State Parks and Recreation Commission of the portion of the corridor between Lind and the Idaho border is effective on the effective date of the Act.

The DNR is authorized to transfer management authority of the transportation corridor to the State Parks and Recreation Commission, upon mutual agreement of the agencies.

Amended Bill Compared to Substitute Bill:

The transfer to the State Parks and Recreation Commission of the portion of the corridor between Lind and the Idaho border is to occur on the effective date of the Act. It is clarified that the sunset clause in the bill only effects the transfer of the portions of the Milwaukee Road corridor between Ellensburg and Lind.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) Since the Department of Transportation was given authorization to negotiate a freight rail franchise agreement in 1999, freight traffic has expanded, and the Ellensburg to Lind line could be a substantial benefit to the state.

Testimony Against: (Opposed) If a portion of the cross-state trail is taken away for rail, the state should find an alternate trail.

Persons Testifying: (In support) Jennifer Ziegler, Washington State Department of Transportation.

(Opposed) Eddie Armstrong, Washington State Horse Council.

Persons Signed In To Testify But Not Testifying: None.